



Aboriginal Affairs and
Northern Development Canada

<http://www.aandc-aadnc.gc.ca>

Affaires autochtones et
Développement du Nord Canada

<http://www.aadnc-aandc.gc.ca>

North Mackenzie District
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July 30, 2013

Helga Harlander
Gwich'in Land and Water Board
P.O. Box 2018
Inuvik, NT
X0E 0T0

Dear Helga:

RE: Land Use Permit application G13H004 - Fuel Storage at James Creek

Aboriginal Affairs and Northern Development Canada (AANDC) reviewed the above mentioned application. While we understand the intentions and the importance of this application, AANDC has serious concerns that the applicant does not indicate how it intends to reclaim the site and address the ongoing issues (Hydrocarbon contamination) associated with previous land use permits.

If the GLWB decides to issue a land use permit under this application, AANDC suggests that the GLWB request a reclamation plan from the applicant which outlines how and when the reclamation of this site will occur. Further, please find the attached land use conditions that AANDC would like attached to such a permit.

Thank you for providing AANDC with the opportunity to comment on this application. If you have any questions or concerns please contact me at the number above.

Regards,

Jozef Carnogursky
Resource Management Officer

Canada



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AANDC suggested condition list for Land Use Permit application G13H004:

26(1)(a) Location and Area

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| 1. The Permittee shall locate all camps on Durable Land or previously cleared areas. | Camp Location |
| 2. The Permittee shall use an existing campsite, as described in the accepted application. | Existing Camp |
| 3. The Permittee shall not conduct this land-use operation on any lands not designated in the accepted application. | Location of Activities |

26(1)(b) Time

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| 4. At least 48 hours prior to commencement of this land-use operation, the Permittee shall provide the following information, in writing, to the Board <u>and</u> an Inspector:
(a) the name(s) of the person(s) in charge of the field operation; (b) alternates; and (c) all methods for contacting the above person(s). | Identify Agent |
| 5. At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of: (a) the plan for removal or storage of equipment and materials; and (b) when final cleanup and reclamation of the land used will be completed. | Reports Before Removal |

26(1)(d) Methods and Techniques

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| 6. The Permittee shall not erect camps or store material other than that required for immediate use on the ice surface of a Watercourse. | Storage on Ice |
| 7. Prior to the expiry of this Permit, the Permittee shall replace all excavated material, unless otherwise authorized in writing by an Inspector. | Excavated Material |

26(1)(e) Type, Location, Capacity, and Operation of All Facilities

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| 8. The Permittee shall ensure that the land use area is kept clean at all times. | Clean Work Area |
| 9. The Permittee shall not excavate land within 100 metres of the high water mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | Excavate Near Watercourse |

26(1)(g) Use, Storage, Handling, and Ultimate Disposal of Any Chemical or Toxic Material

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| 10. The Permittee shall maintain a record of all spills. For all reportable spills, as defined in the <i>NT-NU Spill Report Form</i> , the Permittee shall: (a) immediately report each spill to the 24-hour Spill Report Line (867) 920-8130; (b) report each spill to an Inspector within 24 hours; and (c) submit, to the Board and an Inspector, a detailed report on each spill within 30 days. | Report Spills |
| 11. The Permittee shall dispose of all combustible waste petroleum products by removal to an approved disposal facility. | Waste Petroleum Disposal |

26(1)(h) Wildlife and Fish Habitat

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| 12. The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation. | Habitat Damage |
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26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage

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| 13. The Permittee shall keep all garbage and debris in a secure container until disposal. | Garbage Container |
| 14. The Permittee shall dispose of all garbage, waste, and debris as described in the approved Waste Management Plan, unless otherwise authorized in writing by an Inspector. | Remove Garbage |
| 15. The Permittee shall dispose of all Sewage and Greywater as described in the approved Waste Management Plan. | Sewage Disposal |

26(1)(l) Security Deposit

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| 1f All costs to remediate the area under this Permit are the responsibility of the Permittee. | Responsibility for Remediation Costs |
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26(1)(m) Fuel Storage

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| 1f The Permittee shall: (a) examine all Fuel Storage Tanks and containers for leaks a minimum once per day; and (b) repair all leaks immediately. | Check for Leaks |
| 1f The Permittee shall ensure that all Fuel Storage Tanks with a capacity exceeding 4,000 litres are double-walled tanks. | Double-walled Tanks |
| 1f The Permittee shall not place any Fuel Storage Containers or tanks within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | Fuel Near Water |
| 2f The Permittee shall ensure that all fuel caches containing 20 or more Fuel Storage Containers have adequate Secondary Containment. | Fuel Cache Secondary Containment |
| 2f The Permittee shall set up all refueling points with secondary containment. | Secondary Containment - Refueling |
| 2f The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | Fuel Containment |
| 2f The Permittee shall locate mobile fuel facilities on land when the facilities are stationary for more than 12 hours. | Fuel on Land |
| 2f The Permittee shall mark all stationary fuel caches and fuel storage facilities with flags, posts, or similar devices so that they are at all times plainly visible to local vehicle travel. | Mark Fuel Location |
| 2f The Permittee shall adhere to the approved Spill Contingency Plan and shall annually review the plan and make any necessary revisions to reflect changes in operations, technology, chemicals, or fuels, or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval. | Spill Contingency Plan |
| 2f Prior to commencement of operations, the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills. | Spill Response |
| 2f All equipment that may be parked for two hours or more, should have a haz-mat/drip tray under it or be sufficiently diapered. (Leaky equipment should be repaired immediately.) | Drip Trays |

28 The Permittee shall clean up all leaks, spills, and contaminated material.

**Clean Up
Spills**

26(1)(n) Methods and Techniques for Debris and Brush Disposal

29 The Permittee shall not clear any vegetation.

No Clearing

26(1)(o) Restoration of the Lands

30 Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used.

**Final Cleanup
and
Restoration**

26(1)(p) Display of Permits and Permit Numbers

31 The Permittee shall keep a copy of this permit on hand at all times during this land-use operation.

**Copy of
Permit**